

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Criminal No. 20-CR-10103-DPW
)	
v.	)	Violations:
)	
CARLOS FERNANDEZ,	)	<u>Count One: Money Laundering Conspiracy</u>
	)	(18 U.S.C. § 1956(h))
)	
Defendant	)	<u>Counts Two, Three, and Four: Possession with</u>
	)	Intent to Distribute Five Kilograms or More of
	)	Cocaine
	)	(21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii))
)	
	)	<u>Money Laundering Forfeiture Allegation:</u>
	)	(18 U.S.C. § 982(a)(1))
)	
	)	<u>Drug Forfeiture Allegation:</u>
	)	(21 U.S.C. § 853)

INDICTMENT

COUNT ONE

Money Laundering Conspiracy
(18 U.S.C. § 1956(h))

The Grand Jury charges:

From a date unknown, through on or about December 15, 2015, in Everett and Somerville, in the District of Massachusetts, and elsewhere, the defendant,

CARLOS FERNANDEZ,

conspired with others known and unknown to the Grand Jury to conduct and attempt to conduct a financial transaction, to wit, the transfer of \$409,800 to Mario Antonio Rangel, knowing that the property involved in such transaction represented the proceeds of some form of unlawful activity, and which in fact involved the proceeds of specified unlawful activity, that is, trafficking in illegal

drugs, and knowing that the transaction was designed, in whole and in part, to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

All in violation of Title 18, United States Code, Section 1956(h).

COUNT TWO

Possession with Intent to Distribute
Five Kilograms or More of Cocaine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii))

The Grand Jury further charges:

On or about April 6, 2020, in Everett, in the District of Massachusetts, the defendant,

CARLOS FERNANDEZ,

did knowingly and intentionally possess with intent to distribute five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(ii).

Before the defendant CARLOS FERNANDEZ committed the offense charged in this count, the defendant was convicted of violating Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) (*see* United States v. Carlos Fernandez, Case No. 2:03-CR-113-FtM-29SPC), a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

COUNT THREE

Possession with Intent to Distribute
Five Kilograms or More of Cocaine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii))

The Grand Jury further charges:

On or about April 6, 2020, at 12 Valley Street, in Everett, in the District of Massachusetts,
the defendant,

CARLOS FERNANDEZ,

did knowingly and intentionally possess with intent to distribute five kilograms or more of a
mixture and substance containing a detectable amount of cocaine, a Schedule II controlled
substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(ii).

Before the defendant CARLOS FERNANDEZ committed the offense charged in this
count, the defendant was convicted of violating Title 21, United States Code, Sections 841(a)(1)
and (b)(1)(B) (*see* United States v. Carlos Fernandez, Case No. 2:03-CR-113-FtM-29SPC), a
serious drug felony, for which he served more than 12 months of imprisonment and for which he
was released from serving any term of imprisonment related to that offense within 15 years of
the commencement of the instant offense.

COUNT FOUR

Possession with Intent to Distribute
Five Kilograms or More of Cocaine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii))

The Grand Jury further charges:

On or about April 6, 2020, at 7 Laurel Street, in Everett, in the District of Massachusetts,
the defendant,

CARLOS FERNANDEZ,

did knowingly and intentionally possess with intent to distribute five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(ii).

Before the defendant CARLOS FERNANDEZ committed the offense charged in this count, the defendant was convicted of violating Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) (*see* United States v. Carlos Fernandez, Case No. 2:03-CR-113-FtM-29SPC), a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

MONEY LAUNDERING FORFEITURE ALLEGATION
(18 U.S.C. § 982(a)(1))

1. Upon conviction of the offense in violation of Title 18, United States Code, Section 1956, set forth in Count One, the defendant,

CARLOS FERNANDEZ,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in such offense, and any property traceable to such property.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 982(a)(1), as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 982(a)(1).

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further finds:

1. Upon conviction of one or more of the offenses in violation of Title 21, United States Code, Section 841, set forth in Counts Two through Four, the defendant,

CARLOS FERNANDEZ,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses. The property to be forfeited includes, but is not limited to, the following assets:

- a. \$150,000 in United States currency seized from 12 Valley Street, Apartment 203, Everett, Massachusetts 02149, on April 6, 2020;
- b. \$1,038,635 in United States currency seized from 7 Laurel Street, Everett, Massachusetts 02149, on April 6, 2020;
- c. A 2014 gray Toyota Rav-4 with Massachusetts registration 1HJN65 and Vehicle Identification Number JTMBFREV4EJ010368;
- d. A 2016 gray Jeep Grand Cherokee with Massachusetts registration 23FS81 and Vehicle Identification Number 1C4RJFDJ0GC478826;
- e. A 2014 red Mazda CX9 with Massachusetts registration 27RT58 and Vehicle Identification Number JM3TB3DV5E0440471; and
- f. The real property located at 7 Laurel Street, Everett, Massachusetts, including all buildings, appurtenances, and improvements thereon, more fully described in a Quitclaim Deed recorded with the Middlesex South District Registry of Deeds on June 23, 2009, in Book 53047, Page 37.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL


FOREPERSON


KATHERINE FERGUSON
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: May 26, 2020
Returned into the District Court by the Grand Jurors and filed.

/s/ Harold G. Putnam, 3:57 p.m.
DEPUTY CLERK